REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed April 16, 2007. The Examiner is thanked for the thorough examination of the present application. Upon entry of this response, claims 35-43 are pending in the present application. Specifically, claims 35-43 are rejected under 35 U.S.C. §112, 2nd paragraph. Claims 35, 37, 38, and 41 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by *Hallberg* (U.S. Pat. No. 5,537,100). Claim 36 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hallberg* in view of *Kodra* (U.S. Pat. No. 6,226,663). Claim 39 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hallberg* in view of *Cummiskey* (U.S. Pat. No. 4,353,128). Claim 40 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hallberg* in view of *Hicks* (U.S. Pat. No. 4,800,562). Claims 42 and 43 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hallberg* in view of *Buer* (U.S. Pat. No. 6,188,257).

Applicants have amended claim 35 and respectfully request consideration of the following remarks contained herein. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I.   **Response to Claim Rejections Under 35 U.S.C. § 112**

The Office Action indicates on page 2 that claims 35-43 stand rejected under 35 U.S.C. §112, 2nd paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As indicated above, Applicants have amended claim 35 and submit that the amendment

overcomes the §112, 2nd paragraph rejection. Accordingly, Applicants respectfully

request that the rejection be withdrawn.

II. Response to Claim Rejections Under 35 U.S.C. § 102

The Office Action indicates on pages 2-3 that claims 35, 37, 38, and 41 stand

rejected under 35 U.S.C. §102(b) as allegedly being anticipated by *Hallberg*. For at

least the reasons set forth below, Applicants traverse these rejections.

Independent Claim 35

Applicants respectfully submit that independent claim 35 patently defines over

Hallberg for at least the reason that *Hallberg* fails to disclose, teach or suggest at least

the features emphasized below in claim 35.

Claim 35, as amended, recites (emphasis added):

> 35.   A method for preventing a DC flow condition caused by a
> transmit signal, comprising:
> monitoring a data signal;
> ***generating a first signal in response to a data signal condition
> to prevent the DC flow condition***;
> monitoring a clock signal; and
> ***generating a second signal in response to a clock signal
> condition to prevent the DC flow condition***.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art

reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v.*

Garlock, Inc., 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

The Office Action states that *Hallberg* teaches of "*monitoring a data signal using*

circuit block 65." (Office Action, page 3). The Office Action further alleges that *Hallberg*

teaches of "*generating a clock signal by clock generator 40 and such a clock signal is*

monitored by monitoring devices 44 and 48" and refers to Col. 3, lines 10-15 of the

Hallberg reference. The Office Action apparently equates this to "monitoring a clock

signal," as recited in claim 35.

Applicants have amended claim 35 to clarify certain aspects of the claimed

embodiment and submit that no new matter is added by the amendment. Specifically,

claim 35, as amended, now recites: "generating a first signal in response to a data

signal condition to prevent the DC flow condition" and "generating a second signal in

response to a clock signal condition to prevent the DC flow condition." Applicants

respectfully submit that *Hallberg* fails to teach these features. Applicants refer to the

following text passages from the *Hallberg* reference:

> The <u>code word reader circuitry 65 monitors the coded signal</u> on line 30 <u>to determine if it contains valid code words</u> (that function being provided by validator 50) and also to determine if the initially-received bits of incoming code words have, or do not have, a predetermined correlation with the pager's addresses . . . <u>The function of address detector 63 is to provide a signal</u> to controller 36, via line 64, <u>if the differences between the incoming bits and the pager's address are so great that, even after performing error correction, the incoming code word could not be the pager's address.</u>

> (Col. 10, lines 1-47).

> FIG. 6 illustrates operation in the signal validation mode 90 . . . <u>In step 114 the controller turns off radio circuit 24</u> and returns the method to step 94. <u>Step 114 is reached only if preamble detector 44 and baud rate detector 48 switch from their respective initial states to "not preamble code" and "incorrect baud rate"</u> and holds those outputs coincidentally to trigger AND gate 110.

> (Col. 14, lines 53-54 and Col. 15 47-52).

As seen in the cited text, *Hallberg* teaches that the code word reader circuitry

(65) (referred to on page 3 of the Office Action) monitors the coded signal on line

30 to determine if it contains valid code words. The address detector (63)

provides a signal to controller "if the differences between the incoming bits and the pager's address are so great that, even after performing error correction, the incoming code word could not be the pager's address." However, *Hallberg* fails to teach of "generating a first signal in response to a data signal condition <u>to prevent the DC flow condition</u>."

With respect to the clock signal, *Hallberg* teaches that the controller turns off radio circuit 24 and returns the method to step 94 if the preamble detector 44 and baud rate detector 48 switch from their respective initial states to "not preamble code" and "incorrect baud rate." However, *Hallberg* fails to teach of "generating a second signal in response to a clock signal condition to prevent the DC flow condition." In fact, the Office Action only alleges that *Hallberg* teaches that "*an enable disable signal is generated . . . in response to such a monitoring.*"

Accordingly, Applicants respectfully submit that independent claim 35 patently defines over *Hallberg* for at least the reason that *Hallberg* fails to disclose, teach or suggest the features emphasized above in claim 35.

Dependent Claims 37, 38, and 41

Applicants submit that dependent claims 36, 38, and 41 are allowable for at least the reason that these claims depend from an allowable independent claim. *See, e.g., In re Fine*, 837 F. 2d 1071 (Fed. Cir. 1988).

III. Response to Claim Rejections Under 35 U.S.C. § 103

Claim 36 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hallberg* in view of *Kodra*. Claim 39 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hallberg* in view of *Cummiskey*. Claim 40 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hallberg* in view of *Hicks*. Claims 42 and 43 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hallberg* in view of *Buer*.

Applicants submit that dependent claims 36, 39, 40, 42, and 43 are allowable for at least the reason that these claims depend from independent claim 35, which Applicants respectfully submits is allowable. *See, e.g., In re Fine*, 837 F. 2d 1071 (Fed. Cir. 1988).

CONCLUSION

Applicants respectfully submit that all pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephone conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 50-0835.

Respectfully submitted,

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